

**MAYOR AND CITY COUNCIL
CITY OF SEAT PLEASANT
REGULAR WORK SESSION
MONDAY, DECEMBER 5, 2011
6:00P.M.**

1. OPENING

1.1.1 Call to Order

Council President Porter called the meeting to order at 6:03 p.m.

1.1.2 Roll Call

Present: Councilmember Latasha Gatling, Mayor Eugene Grant (Late Arrival), Councilmember Darrell Hardy, Councilmember Kelly Porter, Councilmember Gerald R. Raynor, Sr., Councilmember Elenora Simms, Councilmember Aretha Stephenson, Councilmember Reveral Yeargin

Staff: Robert Ashton, City Treasurer, Vincent Jones, City Administrator, and Dashaun N. Lanham, City Clerk

1.1.3 Invocation and Pledge of Allegiance:

The invocation was given by Councilmember Stephenson

1.1.4. Approval of Agenda

The agenda was approved with the following modifications to coincide the Presentation 2.2 Feggans Center Infrastructure with Unfinished Business 6.1 Feggans Center Building Assessment and Legislation Item 3.1 Resolution R-12-07 under New Business as 5.9. It was motioned by Councilmember Simms and seconded by Councilmember Yeargin to approve the agenda. The motion carried.

2. PRESENTATIONS:

- **2.1. Darnell Dailey, Kratos Infrastructure**
- Mr. Dailey stated the City Center will be a \$30 Million dollars with enhancement of \$50 Million dollars working with Alco largest environmental company.
- He stated that they have access to \$3.5 billion dollars in communities of excellence with a plan. He said Seat Pleasant has a plan.
- He said it is a business relationship with Public Private Structure relationship.

- They are proposing 100% financing of the Feggans Center project. They will do it in a partnership with the City.
- They will put five (5) years of payment aside in a lock box as a stabilization reserve fund. It will pay the missing portion of the payment. They will put in writing by signing a master lease and create a LLC, which will be Kratos and Seat Pleasant.
- They will write an advance payment in as much as \$2 Million dollars. They can take care of environmental and bio tech concerns.
- The building will have solar panels on the roof that will allow us to generate our own power and the ability to generate additional income.
- They have been convinced by Councilman Porter and Mayor Grant that this is needed.
- They can stretch the lease to make it affordable. It will generate tax revenue for Seat Pleasant. The profit over the building belongs to Seat Pleasant and advance belongs to Seat Pleasant. They can write off the depreciation cost in four (4) ways.
 - 1. At Closing of Finance
 - 2. During the Lease
 - 3. Tax Revenue
 - 4. Closing Mechanism
- The building will be managed jointly. We will decide together who will be the managing partner between one of the colleges either Bowie State or Prince Georges Community College to train and get people to learn the green technology. This will reduce the operating cost of the building.
- They feel they are going into the communities by helping shape what the community need.
- Mayor Grant asked if there are any other businesses that are doing what Kratos proposes. Mr. Dailey stated that the following companies perform the same services as Kratos, BRIA, Trans Capital and Harvard Capital.
- Mr. Dailey stated that the investors are looking for vehicles to protect their tax liability. They are investing their money in Real Estate where it can be safe with public/private partnership. They create corporate entities based on your credit rating. It cannot be a core building, as it must be convertible.
- They will provide 20-30% equity check to you in advance.
- They can get low interest construction loans. They have can write off \$175 for every dollar they spend.

- The building will be given back because it has no value to the investor, or they can have to give back at 80% of the cost. This will be double dipping or re-up on the lease.
- Mayor Grant stated that the State of Maryland has private/public partnership, but it is limited to transportation. The Health Center in Baltimore, Europe and Canada leads the world on this. Chapter 640 is the Code for Maryland.
- Mayor Grant stated that he would like to see Seat Pleasant take advantage of the opportunity.
- Mayor Grant stated that he wanted to know every minute detail of the project. Please explain to us any pitfalls down the road.
- Mr. Dailey stated you will be leveraging your good credit. The project is insured, which will cover and protect the building.
- Councilwoman Stephenson asked the tax responsibilities. She stated that no one could get away with not paying taxes. Mr. Dailey stated the taxes are paid to the City. He said that when you are 501-C3 you do not pay taxes.
- Councilman Yeargin asked if the Developer/Investment Entity acquires the land. Mr. Ashton stated that there may be challenge. Mr. Dailey stated that if there is money owed on the land, they will pay them and reimburse the City.
- Mr. Dailey stated they were thinking of building a rail or transportation to the metro from the City Center.
- Councilman Yeargin asked if the city wanted to keep the building as is and build up with senior housing will the developers be interested.
- Councilman Yeargin stated that with the residents being adjacent from the proposed development site. He stated I know that you have insurance. He wanted to know the safeguards. Mr. Dailey stated that we leave that to our contractors who are bonded and the insurance pays for any damages. The bonding policy needs to cover the cost of the project.
- Mr. Ashton stated the City has a debt limitation that will prohibit a certain amount to be financed. This type of project will not have an impact on our debt limitation. Mr. Dailey answered no because the project is based on credit, and we can do a project on and off balance sheet.
- Councilman Hardy asked if they will be involved on the development process. Mr. Dailey stated they will meet with the city and bring the agreement. The agreement defines the financing breakdown, which will be 80% for them and 20% for the City. He stated that Mr. Sussman has received a copy of the master lease.
- Mr. Ashton inquired on the reimbursement of expenses in association with the project. Mr. Dailey stated that the City would be reimbursed for

drawings, renderings and assessment in association with the project. Mr. Ashton was it a time limit on the reimbursement. Mr. Dailey answered no.

3. LEGISLATION

- Resolution R-12-08 City Clerk Supervision It was introduced by the City Council on Monday December 5, 2011. It was motioned by Councilmember Simms and seconded by Councilmember Yeargin to approve Resolution R-12-08. The motion carried.
- Council President Porter asked if there were any questions regarding the Resolution R-12-08.
- Councilwoman Gatling asked what day to day duties will be given to the City Administrator of the City Clerk. The resolution is open-ended.
- She wanted to know why was it coming up now and it wasn't a problem before.
- She stated the City Clerk was under the City Administrator before and she wanted to know why it had been changed.
- She wanted to know if the change was made because of the specific person.
- Councilman Porter stated that this was placed in the Governmental Affairs & Technology Committee.
- The specific duties will be everything that takes place on a day to day basis will be under the City Administrator.
- Councilman Porter stated that he will provide the information to Councilwoman Gatling, as the specific duties cannot be given exactly.
- He stated that one of the concerns were on the day to day basis was to keep track of how the clerk come in. As the Council is a part-time body we cannot answer a question as it relates to time and attendance.
- Councilwoman Gatling stated that the resolution does not need to be passed on time and attendance. The City Clerk gets permission from the Council and the City Administrator signs the time and leave slips for the City Clerk.
- Councilwoman Simms stated that we do not want to go into personnel matter in an open session. Councilwoman Gatling stated that it isn't a personnel matter, as she was not saying anything that related to personnel.
- Councilman Porter stated that the City Attorney was present when the discussion was being held by the City Council. It was the concern of the Council with regards to monitoring the time of the staff. The City Clerk does not have a department that she is responsible for other than the Council.
- Councilwoman Gatling wanted to know who would be monitoring the City Administrator, as she isn't here every day to monitor him. She feels that since

the Mayor is here every day that a Resolution should be passed to have the City Administrator report to the Mayor.

- Councilman Porter stated that if a Resolution is submitted the Council would take it under advisement.
- It was stated by Councilwoman Simms that a motion was on the floor and she feels that the roll call should be conducted.
- Councilman Porter requested the City Clerk to call the roll.
- FOR: Hardy, Porter, Simms, Stephenson
- AGAINST: Gatling, Raynor
- ABSTAIN: Yeargin

4. REPORTS

4.1. Mayor's Report:

- Mayor Grant stated that the delegation had their meeting on Saturday, December 3, 2011. He stated that legislation that he will be supporting is the Homeowners Tax Credit PG417-12 the bill will allow one hundred seventeen residents to benefit. He encouraged the Council to go onto the delegation website and look up the legislation that will be presented.
- PG407-12 Adults with Development Disability and Citizen Advisory Committee. There is no citizen advisory group that exists and the committee will establish. Mayor Grant stated that he testified that Seat Pleasant has the largest number of autism students in the county. We have seventy-five students with Autism and they scored proficient and advance on the state exam. He testified in support of the legislation.
- He testified against the disposal bag tax as it is aggressive. He was probably one of two people that testified against it. We need to be aware of the other bills that will increase anything sales related. The bill number is PG 402-12.
- He stated that people that are on public assistance cards may not pay for the bag. If the bill passes it will be impact them greater.
- He will be coming to the Council to request that they pass a resolution of support in several bills.
- Councilwoman Simms wanted to know if there was any legislation passed to oppose the paraphernalia in the stores.
- Councilman Yeargin stated that he attended Seat Pleasant Elementary School for career day. He passed out a poetry entitled Baby Boy. It touched him that one of the students read the poem and he was autistic.

4.2. City Administrator Report:

- Mr. Jones stated that he sent out an e-mail to Council for the meeting with Parking and Planning on Wednesday, December 7, 2011 from 6:30p.m.-8:30p.m., in Largo, MD
- Mr. Jones stated that the last issue is regarding the Fire Department and the County had come and gave them an ultimatum. They had stated that the new station will not be built to service Seat Pleasant. It was stated that calls will not be dispatched to the current location when the new station is built.
- Mr. Jones stated that we need to have a conversation to be sure that we are included with the new station.
- The County stated that they will not pay any monies pass a five year timeframe and the Volunteer Fire Station will have (90) ninety days to make a decision. They need to decide if they will be involved with the planning process. They will not dispatch calls to the station once it is built.
- Councilman Porter stated that Mr. Jones needs to be clear to the Council, as the Volunteer Fire Fighters will not be going anywhere.
- Councilwoman Simms wanted to know if Mr. Jones had a meeting with the County Fire Chief regarding the Fire Station. Mr. Jones stated that he had not scheduled an appointment with Chief Bashoor. She has requested that Mr. Jones make arrangements to meet with County Fire Chief
- Mayor Grant has stated that he has informed the Council several years ago that they will be moving the resources from the station. He stated we need to decide what we will do.
- Councilman Raynor said as the Mayor said it coming down that we will need to support our own. He wanted to know if we can have our own dispatch for the current station. Mr. Jones stated that we can look into it.
- Mayor Grant stated that there was discussion from the Fire Department to look at the model that Laurel has and they can have the same service Seat Pleasant. He stated that if this happen, they will service Seat Pleasant and Seat Pleasant only. He stated that we need to look at it as something positive and have our Police and Fire Department. Mayor Grant stated that this is an opportunity to have our Police and Fire Department under us. He stated that it is very possible and that we can position ourselves. If we are talking about a five year window. We can use it to our advantage.
- Mr. Ashton stated that we can have a discussion with the County regarding the tax differential, which is the same as we get on the trash. He stated that he agree with the Mayor.

- Councilman Yeargin asked the position on the Fire Truck from Laurel. Mr. Jones stated that we have not received anything in writing, but we were told that the County will not allow the transfer of the truck.
- Mr. Jones stated that he wanted to be clear on the five years. Mayor Grant stated that we can negotiate the time. We need to be aggressive and have Grant Manage team to go after federal dollars.
- Councilman Porter asked the Council how they would want to proceed. Mayor Grant stated that it usually starts in committee. The Public Safety Committee Chair is Councilman Yeargin. Council President Porter stated that he is looking for a response in two weeks.
- Councilman Yeargin stated that he can bring a report to the Council by January 16, 2012.
- It was agreed upon by the City Council to allow the Public Safety Committee to bring the report by January 16, 2012.

Council Committee Reports:

- The Council Committee did not have any meetings in the month of November.

5. NEW BUSINESS

5.1. Grants Coordinator Contract

- Mr. Jones stated that the current Grants Coordinator contract expired on June 30, 2011.
- Councilwoman Simms wanted to know if a contract has expired; how can the contracted get paid with no contract in place. Mr. Jones stated that we have extended her terms under the previous contract since we are still using her services.
- Mayor Grant stated that this isn't the way we normally run our government.
- Councilwoman Stephenson wanted to know if the Grants Coordinator was apprehensive about signing the contract. Mr. Jones stated that she is more comfortable with having a signed contract.
- Mayor Grant wanted to know how Mr. Jones evaluates contractors. Mr. Jones stated that he evaluates them on the deliverables.
- Mayor Grant thanked Mr. Jones for the Community Development Block Grant submission, which included more than street repair.
- It was the consensus of the council to allow the City Administrator to move forward and execute the contract.

5.2. Public Works Contract for Work Order System

- Mr. Jones stated that the Public Works Department currently track work order requests manually.
- He stated that the system will route the website request for public Works to the new work order system. The monies are budgeted in the current Public Works budget for \$10,000. The system will cost \$4,900
- Councilwoman Simms wanted to know if there will be more than one person trained on the system. Mr. Jones stated that the Department will be trained on the system.
- Mayor Grant stated that he is in support of the system.
- It was by consensus of the Council to allow the City Administrator to execute the contract for the Public Works Work Order System.

5.3. Economic Development Coordinator Contract

- Mr. Jones stated that they had to re-advertise for the Economic Development Coordinator Contract position. He stated that they had four responses to second advertisement and the names are listed in the memorandum.
- He has recommended Sunny Cooper as the Economic Development Coordinator.
- He has asked the City Council to allow him to execute the contract to hire Ms. Cooper.
- The Council has agreed to allow Mr. Jones to execute the contract for the Economic Development contract position.

5.4. Legislative Breakfast Discussion

- Mayor Grant stated the report is very simple the Breakfast will be held on Thursday, December 15, 2011 at 7:30am, at the Seat Pleasant Activity Center.
- Mayor Grant stated that funds are still coming in support of the breakfast. We have compiled a lot of information for the legislative packet, which will be distributed to the City Council. Mayor Grant has requested that the Council review this in two-days.
- Mayor Grant stated that we need to have a conversation regarding the State Highway Revenue and State Aid, and the tax increase will go towards the State Highway User fee and the state aid.
- Mayor Grant has referred the City Council to the packet listing the concerns that we will be addressing with the perspective agencies.

5.5. Annexation Discussion

- Mr. Jones stated that everyone assumes that Addison Road is included in Seat Pleasant. He stated we need to have a conversation with W-MATA regarding the name change to Addison Road Station.
- Councilwoman Simms wanted to know the benefit of annexing the station into the City.
- Mr. Jones stated that Capitol Heights has been having a lot of discussion and he does not want to see them annex the station and the lot across the street.
- Mr. Jones has stated that the land on Adak Street and he would like to have the City invest in purchasing the land.
- He stated that once the board has been appointed, He feels that we should not be in communication with the Ethics Board. He said that if someone brings a concern regarding the elected officials, it may look as if we have some persuasion.
- He stated that Councilwoman Simms feels that they need to know what their duties are on the ethics board. She said some of them don't know what they are supposed to be doing.
- Councilman Porter stated that has anything additional been added to the communication. He requested the City Clerk to verify with Councilwoman Simms what she wanted to have done with the matter.

5.6 January Regular Work Session

- Councilman Porter stated the Regular Work Session falls on Holiday. The Council agreed that the Regular Work Session will be held on Tuesday, January 3, 2012.

5.7. Recording of Council Meeting

- Councilwoman Stephenson wanted the Council support on recording the meetings. She said this isn't anything that is against the City Clerk, but with the recording of the meetings it will be an actual record of the meetings.
- Councilwoman Simms said we had been discussing this for some time and the new system does allow recording.
- Councilman Raynor wanted to know who will be responsible for the review of the tapes.
- Councilwoman Simms stated that Ms. Lanham will be responsible for review of the tapes.
- Councilwoman Simms stated that Mrs. Lanham will need to review and verify the process of maintaining the tapes.
- It was stated that we need to post a sign that states that we are recording and purchase more tapes.

- The Council agreed by consensus that the meeting will be recorded.

5.8. Department Head to meet with City Council

- Councilwoman Stephenson stated that she feels that all Department Heads should attend our Public Meetings.
- Councilwoman Stephenson stated that she feels the Department Heads should meet with the City Council every three (3) months to maintain a relationship, and allow the Council to have a say as to what is going on in the Departments. She stated that it is not any disrespect to the new administrator, but she feels that it will help in keeping a relationship with the Department Heads. She does not feel that the information should be filter down from the City Administrator. She stated that they should feel comfortable with coming to the Council. She feels that they should be able to maintain a report with the Council. It is okay for Mr. Jones to filter the information to us.
- Councilman Hardy stated that he is glad that this is coming up because it is hard to chair a committee and you do not know the needs of the department. He stated that he totally agrees with it and it is not any disrespect to Mr. Jones.
- Mr. Jones stated that he does have some questions about this. The conversation started out with having them come to the Public Session. He stated that they all have been coming to the public meetings. He said with regards to the Human Resources Officer who attends meeting for presentation purposes. He stated that for clarity of the discussion his expectation is for all Department Heads to attend the Public Session.
- Mr. Jones stated that the Department Directors are to come to the committee meetings. He stated that he wanted to make sure that they are not running to you to go around anyone, and if we disagree then we need to have a discussion. Additionally, he wanted to ensure that he was meeting with the Council on a one on one basis as well.
- Councilman Hardy stated that he does not feel that he needs to go the City Administrator to talk to Department Heads.
- Councilwoman Simms stated that we need to be sure that we are not treading a thin line, as Mr. Jones is the Supervisor. She said that we need to be sure that we show him respect.
- Councilwoman Stephenson wanted to know if the Council could attend the weekly staff meetings. Mr. Jones stated that he would not want the Council

to attend the meetings. He said that the semi-annual meeting will include the Council.

- Councilwoman Stephenson stated that they want to stay in the trenches of what is going on.
- Councilman Raynor wanted to know if this request is considered micro-management. He asked the City Administrator in his former position did the council attend any staff meetings. Mr. Jones said no, but the council did attend the semi-annual meetings with the staff.
- Councilman Porter stated that the City Administrator will be discussing this with the Staff on tomorrow in reference to meeting with the Council.
- Councilwoman Stephenson feels like she has built a relationship with a staff person and does not want them to feel afraid to talk to her. As one staff person stated that he isn't allowed to have a conversation with her. It appeared that they were afraid.
- Mr. Jones wanted to know the name of the staff person. Councilwoman Stephenson stated that she will not reveal the name of the person to protect them.

5.9. Resolution R-12-07 Competitive Bid Waiver of Feggans Center Building Assessment

- It was motioned by Councilwoman Simms and seconded by Councilwoman to move forward and approve Resolution R-12-07.
- FOR: Porter, Raynor, Simms, Stephenson and Yeargin.
- It was motioned by Councilman Raynor and seconded by Councilwoman Simms to allow the City Administrator to spend \$15,000 to pay Trusant Technologies for the Feggans Center Building Assessment.
- FOR: Porter, Raynor, Simms, Stephenson and Yeargin

6. UNFINISHED BUSINESS:

6.1. Feggans Center Building Assessment

- Mr. Jones stated that he brought a company to you in October called Trusant Technology
- The report will provide a detail report regarding the Feggans Center to determine what type of mold and the remedy for the building.
- Councilman Yeargin wanted to know if the City Administrator was keeping a running tally of the expenses on the Feggans Center.

- Mr. Ashton has reviewed and discussed the memorandum with the cost associated with the Feggans Center since it has been closed. Councilman Yeargin has requested that Mr. Ashton provide him with a copy of the statement from the loan balance associated with the Feggans Center.
- Mr. Ashton stated that he was offended by Councilman Yeargin requesting the information from him immediately. He stated that he has been here for a number years and has always provided the Council with the information, as requested.
- Councilman Yeargin stated that he thought the request for the Feggans Center was completed last month. Mr. Jones stated that it was not approved and we now have the competitive bid resolution in order to approve it.
- Councilman Yeargin stated that he feels that we should move forward with the assessment. Mr. Ashton stated that the City is covered in whatever manner, as they are covered with the Bond Bill or the Master Lease project.
- Mr. Jones asked Councilman Porter for clarity on his request. Councilman Porter stated that there is cost associated with doing the bond. Mr. Jones stated that the cost of the bond bill is on the state.
- Councilman Porter said he absolutely agrees with the City Administrator on the cost. He stated that if we do not move forward with current bond bill we could lose the bond bill.
- Mr. Jones stated that the bottom line is we will need to have money to finance the project if the Council decided not to move forward with Kratos.
- Councilman Porter stated that the City Council needs to move forward without dilly dallying around. He does not care whether or not we move forward with master lease or the bond bill.

6.2. Personnel Manual Final Review

- Councilman Porter stated the Personnel Manual has been submitted to the City Council for review and approval. The first reading of the Ordinance was conducted on November 14, 2011.
- Councilwoman Simms wanted to know if the changes requested are the only changes to the document. Mr. Jones stated that they are the only changes made to the document.
- The City Council agreed that the second reading will be conducted on Monday, December 12, 2011.

6.3. Strategic Workshop

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6.4. Approval of City Administrator Evaluation Form

- The City Council approved the Evaluation form for the City Administrator.
- Councilman Porter stated he will talk with the Clerk on establishing a date for the Council to evaluate the City Administrator.

6.5. City Attorney RFP Process

- Councilman Porter stated that

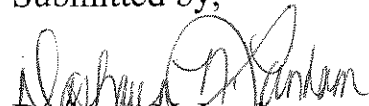
7. ANNOUNCEMENT

7.1. Tree Lighting Ceremony, Monday, December 12, 2011 at 6:30p.m., Council Chambers.

7.2. Seat Pleasant Legislative Breakfast, Thursday, December 15, 2011 at 7:30a.m., Seat Pleasant Activity Center

ADJOURN-The meeting was adjourned at 10:02p.m.

Submitted by,


Dashaun N. Lanham
City Clerk